

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Tri-State Paper, Inc.,

Debtor.

Case No. 23-13237-pmm

Chapter 11

Tri-State Paper, Inc.,

Plaintiff,

v.

Holy Tomato LLC,

Defendant.

Adversary No. 23-00096-pmm

**Plaintiff's Request for Entry of Default
Against Defendant Holy Tomato LLC**

To the Clerk of Court:

Defendant Holy Tomato LLC has failed to appear, plead, or otherwise defend against Plaintiff Tri-State Paper, Inc.'s complaint for judgment for affirmative relief within the time allowed and is therefore in default as evidenced by the record and the declaration attached as Exhibit A.

Consequently, you must enter default against Defendant Holy Tomato LLC pursuant to Fed. R. Bankr. P. 7055 and Fed. R. Civ. P. 55(a).

Date: January 13, 2024

CIBIK LAW, P.C.
Counsel for Plaintiff

By: /s/ Michael I. Assad
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**Exhibit A
Declaration in Support of Plaintiff's Request for Entry of Default**

I, Michael I. Assad, declare as follows:

1. I am the attorney for Plaintiff Tri-State Paper, Inc. in the above-entitled action and I am familiar with the file, records, and pleadings in this matter.
2. The complaint was filed on November 25, 2023, and the summons was filed on November 27, 2023.
3. The Defendant was served with a copy of the summons and complaint on November 27, 2023 as reflected on the docket by the proof of service filed on that date.
4. An answer to the complaint was due on December 27, 2023.
5. The Defendant has failed to appear, plead, or otherwise defend within the time allowed and, therefore, is now in default.
6. The Plaintiff requests that the clerk of court enter default against the Defendant.
7. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: January 13, 2024

/s/ Michael I. Assad
Michael I. Assad (#330937)